

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

THOMAS RYAN, SUSAN RYAN, SEAN GALLAGHER, ASHLEY SULTAN GALLAGHER, MICHELE BURT, NANCY DONOVAN, and LAUREN LADUE, individually and on behalf of others similarly situated,

Plaintiffs,

v.

THE NEWARK GROUP, INC., MASSACHUSETTS NATURAL FERTILIZER CO., INC., OTTER FARM, INC., SEAMAN PAPER COMPANY OF MASSACHUSETTS, INC., and 3M COMPANY,

Defendants.

Civil Action No: 4:22-cv-40089-MRG
(Lead Case)

THOMAS RYAN, SUSAN RYAN, SEAN GALLAGHER, ASHLEY SULTAN GALLAGHER, MICHELE BURT, NANCY DONOVAN, and LAUREN LADUE, individually and on behalf of others similarly situated,

Plaintiffs,

v.

EIDP, INC., DUPONT DE NEMOURS, INC., THE CHEMOURS COMPANY, THE CHEMOURS COMPANY FC, LLC, CORTEVA, INC., BALL CORPORATION, RUST-OLEUM CORPORATION, NEW ENGLAND WASTE SERVICES OF ME, INC. D/B/A CASELLA ORGANICS, SYNAGRO TECHNOLOGIES, INC., NEW ENGLAND FERTILIZER COMPANY, NEFCO GP I, and NEFCO GP II.

Defendants.

Civil Action No. 4:25-cv-40026-MRG

**PLAINTIFFS' CROSS-MOTION FOR LIMITED JURISDICTIONAL DISCOVERY
AGAINST DUPONT, NEFCO DEFENDANTS**

NOW COME Plaintiffs Thomas Ryan, Susan Ryan, Sean Gallagher, Ashley Sultan Gallagher, Michele Burt, Nancy Donovan, and Lauren Ladue (collectively, "Plaintiffs"), who

hereby move, in the alternative to denial of Defendants’ motion to dismiss for lack of personal jurisdiction, for leave to conduct limited jurisdictional discovery.

Defendants EIDP, Inc., DuPont de Nemours, Inc., The Chemours Company, The Chemours Company FC, LLC, and Corteva, Inc, (collectively, the “DuPont Defendants”) and Defendants Synagro Technologies, Inc., New England Fertilizer Company, NEFCO GP I, and NEFCO GP II (collectively, the “NEFCO Defendants”) seek dismissal of this action under Fed. R. Civ. P. 12(b)(2), asserting that this Court lacks personal jurisdiction. Plaintiffs’ opposition briefing demonstrates that the available evidence supports a *prima facie* showing of jurisdiction. To the extent the Court finds the existing record insufficient to conclusively establish jurisdiction, Plaintiffs should be permitted to seek limited, jurisdictional discovery on:

- (1) the full extent of the DuPont Defendants’ contacts with Massachusetts,
- (2) the full extent of EIDP, Inc.’s liabilities assumed by The Chemours Company, DuPont de Nemours, Inc. and Corteva, Inc.
- (3) the full extent of the NEFCO Defendants’ contacts with Massachusetts, and
- (4) the full extent to which NEFCO GP I, NEFCO GP II, and Synagro Technologies, Inc. act in a general partnership with the New England Fertilizer Company, or are “alter egos” of one another.

Plaintiffs submit that there is good cause for jurisdictional discovery because Plaintiffs state “a colorable claim of jurisdiction” against each defendant, and have “been diligent in preserving [their] rights to be entitled to jurisdictional discovery.” *Motus, LLC v. CarData Consultants, Inc.*, 23 F.4th 115, 128 (1st Cir. 2022).

WHEREFORE, if the Court is not inclined to deny Defendants’ motions to dismiss for lack of personal jurisdiction outright, Plaintiffs respectfully request the Court allow Plaintiffs to take limited jurisdictional discovery from the DuPont Defendants and NEFCO Defendants.

Dated: August 8, 2025

Respectfully submitted,

/s/ Ian W. Sloss

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CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2025 a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and served on counsel of record via the Court's ECF filing system.

/s/ Ian W. Sloss

Ian W. Sloss